

Attorney Docket No.: 10473.204-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Viksoe-Nielsen et al. Confirmation No: 3643

Serial No.: 10/561,671

Group Art Unit: 1723

Filed: December 20, 2005

Examiner: TBA

For: Starch Process

REQUEST FOR RECONSIDERATION OF DECISION ON PETITION UNDER 37 CFR 1.10(c)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request reconsideration of the Decision on Petition under 37 CFR 1.10(c) mailed July 17, 2008 denying Applicants' petition to accord the above-captioned application a filing date of December 20, 2005.

The Decision notes that there are three requirements under 37 CFR 1.10(c) and confirms that Applicants have satisfied two of the requirements. However, the Decision provides that Applicants have not satisfied the requirement that the petition be filed promptly after the person becomes aware that the Office has accorded, or will accord, a filing date other than the USPS deposit date. This is respectfully traversed.

Applicants became aware that the application was not accorded a filing date of December 20, 2005, when they received the filing receipt mailed May 9, 2008. Thus, the petition under 37 CFR 1.10(c) was filed about one month after the filing receipt was mailed.

Applicants note that they received a return postcard which was stamped "IAP4 Rec'd PCT/PTO 22 DEC 2005" (a copy of the return postcard is attached). However, Applicants did not appreciate from the postcard that they would not be accorded a filing date of December 20, 2005.

Applicants therefore submit that they have complied with 37 CFR 1.10(c) and respectfully request that the above captioned application be accorded a filing date of December 20, 2005.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this petition or application.

Respectfully submitted,

Date: July 25, 2008

/Elias Lambiris, Reg. # 33728/

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Attorney Docket No. 10473.204-US
Patent Application entitled: "Starch Process"
Applicants: Vikso-Nielsen et al.
The DO/EO/US hereby acknowledges receipt of the following:

1. Express Mail Certificate
2. Transmittal Letter to the DO/EO/US (in duplicate)
3. Application Data Sheet
4. Preliminary Amendment
5. Sequence Listing (49 pages)
6. Computer Readable Form of Sequence Listing
7. Executed Combined Declaration and Power of Attorney
8. Recordation Form Cover Sheet
9. Assignment
10. Information Disclosure Statement
11. Form PTO/SB/08A
12. Copy of References

December 20, 2005
VIA US Express Mail, label no. EV 611574355 US

IAP4 Rec'd PCT/PTO 22 DEC 2005